

Executive Order 41 Frequently Asked Questions (FAQs)

This FAQ is designed to answer the most commonly asked questions about the requirements of executive branch agencies and public institutions of higher education (State Agencies) in Executive Order 41.

- 1. The executive order states that State Agencies, including those not designated in the Commonwealth of Virginia Emergency Operations Plan (COVEOP), shall be prepared to support disaster preparedness, response, and recovery efforts upon direction of the governor or his designee. What type of support efforts might be required of a non-COVEOP agency?**

Agencies may be asked to support disaster-related activities that fall within their primary mission. However, as noted in the executive order, state employees may be asked to perform other duties as needed. These may include, but are not limited to, answering inquiries at a citizen call center, or other basic mission support functions.

- 2. Members of the governors' cabinet shall be responsible for conducting an annual review of the disaster preparedness, response, and recovery roles assigned to their office and State Agencies to ensure that they have adequate plans, federally-compliant emergency procurement contracts, staff, and resources to fulfill their responsibilities as assigned in the COVEOP. What is a federally-compliant emergency procurement contract?**

Guidance on federally-compliant emergency procurement contracts can be found in the *Code of Federal Regulations* §§ 200.317 – 200.326 at <https://www.ecfr.gov/cgi-bin/text-idx?SID=409263fa6b8c354c3e29e0e8bc67d522&mc=true&node-pt2.1.200&rgn=div5>

- 3. Agencies are responsible for the preparation and maintenance of a written internal agency plan to fulfill the responsibilities designated to them in the COVEOP. Plans are to be compliant with the Virginia Department of Emergency Management (VDEM) template and submitted to VDEM annually by May 1. Where can I find the VDEM template and the submission instructions?**

This template is under development by VDEM and will be distributed to agency VEST Liaison Officers (VLOs) by November 30, 2019.

- 4. What does it mean for an agency to be “National Incident Management System (NIMS) compliant”?**

NIMS compliance can vary based on agency and individual responsibilities during a disaster. Typically completing two of the FEMA independent study courses (IS-100 and IS-700) will meet NIMS compliance requirements. If individuals are in leadership positions, other independent study courses should be completed such as IS-800. For additional information, please visit the Training Division portion of VDEM's website at www.vaemergency.gov/training.

- 5. VLOs are required to complete emergency management course requirements as determined by VDEM. Where can I get a copy of the course requirements and schedule of course offerings?**

VEST members are required to have the following training:

IS-100 (FEMA Independent Study)

IS-200 (FEMA Independent Study)

IS-300 (FEMA Independent Study)

IS-400 (FEMA Independent Study)

VEST-101 to 104 (check VLC for course offerings)

- 6. VLOs are required to participate in monthly Virginia Emergency Support Team (VEST) training. Since VEST training sessions are usually held every week, do I need to attend all VEST training sessions or only one per month?**

VLOs should attend training sessions recommended for Emergency Support Functions (ESFs). These are published in the VEST training calendar emailed quarterly to VLOs.

- 7. Occupant Emergency Action Plans, with respect to executive branch agencies, and Crisis and Emergency Management Plans, with respect to institutions of higher education, are to be coordinated with the appropriate local emergency management agency. Where can I find contact information for my local emergency manager?**

The Local Emergency Managers Directory can be found on the VDEM website at <https://lemd.vdem.virginia.gov/Public/Default.aspx>

- 8. All personnel and faculty of executive branch agencies and public institutions of higher education are required to successfully complete an online course titled Emergency Management Training for State Employees. Where can this course be found?**

This course is under development by VDEM and will be available after June 2020.

- 9. All State Agency public information officers should complete a training course in emergency public communications as directed by VDEM. Where can I find the schedule of when and where this course is offered?**

The course is under development by VDEM and will be available after January 1, 2020. After this date, the course will be scheduled regularly as initial and refresher training and registration will be coordinated through the Commonwealth of Virginia Learning Center at <https://covlc.virginia.gov/Default.aspx>

FAQs from Institutes of Higher Education

- 1. Are public state institutes of higher education are considered state agencies for all purposes of this executive order?**

Yes

- 2. “Each State Agency shall include emergency preparedness in its strategic planning and performance management process.” Does this infer that the institutions strategic plan should have emergency preparedness as part of it, or should an EM office have its own strategic plan, that would suffice?**

The state agency preparedness section is meant for all agencies to encourage employees to be personally prepared and to have necessary contracts in place for disaster response. Ideally, EM would have a place in the institutional strategic plan, but if there is an EM strategic plan, that is acceptable for now.

- 3. Will institutes of higher education be subject to an annual preparedness review by the Secretary of Education? If so, what will this review specifically consist of? How is it to be conducted? Who is the point of contact? When is it due?**

The Secretary of Education will make this determination.

- 4. Are institutes of higher education required to designate primary and alternate Vest Liaison Officers? I read that “each *executive branch agency* shall appoint a VEST Liaison Officer and at least one alternate” in the EO, but want to make sure on this.**

Institutes of higher education do not have to designate a VLO, as all disaster requests would be routed through a locality emergency manager. Institutes of higher education

campuses should work with localities to make requests and share information during emergencies and disasters.

5. In EO 41 2011, this was written as an executive branch agencies requirement where institutes of higher education should have a critical incident management plan that has been developed, adopted, and kept current. In EO 41 2019, this has been separated out. Are the requirements different for institutes of higher education?

Emergency Action Plans are meant for all facilities. These include fire escape plans for all buildings, continuity of operations plans for all buildings, etc. These would meet the intent of this section.

6. EO 41 says to conduct of continuity awareness briefings (or other means of orientation) for all newly-hired personnel (including host or contract personnel) on the State Agency's continuity of operations plan within 90 days of hire or appointment. Would conducting briefings on university level plans, to include the COOP, at new employee orientation be sufficient for compliance?

Discussing these plans at orientation would meet the intent of that section. Department-specific plans can be addressed as part of this orientation

7. EO 41 requires "The annual submission of a list of continuity of operations plan alternate facilities to the Department of General Services by July 1." Does this apply to institutes of higher education?

July 1 is the deadline for COOP submissions to DGS, including those from institutes of higher education.

8. Does the requirement to "coordinate emergency public information with VDEM during states of emergency" apply to institute of higher education? Usually, institute of higher education PIOs will coordinate with PIOs in their home locality and with the VDEM Regional Office as needed.

Institutes of Higher Education do not need to designate a PIO to work in the JIC. Institutes of Higher Education campuses will work with localities to make requests and share information during emergencies / disasters. If a disaster or emergency happens in close proximity to an institute of higher education, the campus PIO may be asked to provide JIC support.

9. Are institutes of higher education staff required to "successfully complete Emergency Management for State Employees training annually"? If yes, will Institutes of higher education be notified of the release? When does the annual clock begin for the course? Will there be penalties for personnel who do not take the training? Who with the Virginia

Learning Center is responsible for tracking compliance at each agency, and with whom at each agency will they coordinate to encourage compliance?

This course is currently under development. Once it is ready, it will be announced through the COVLC. VDEM Training, Education and Exercise Division is working with the Department of Human Resource Management to coordinate announcements and tracking.